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VT-1967/DIV

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Application No.: 10/037,702

CERTIFICATE OF TRANSMISSION

Filing Date: January 3, 2002

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Applicant: Gao et al.

Group Art Unit: 1745

on this date: December 3, 2003

Examiner: Susy N. Tsang Foster

Cynthia S. Kovacevic  
Cynthia S. Kovacevic

Title: ELECTROLYTES HAVING IMPROVED STABILITY

Attorney Docket: VT-1967/DIV/US

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO NOTICE of NON-COMPLIANT AMENDMENT

This is in response to the Notice of Non-Compliant Amendment mailed November 3, 2003 for the above-identified case. A response to the Notice is timely filed, if filed on or before December 3, 2003 in accordance with 37 CFR 1.8.

The Notice stated that a complete listing of all the claims was not provided with applicants amendment document filed on October 30, 2003 in that each claim was not provided with the proper status identifier. More specifically, the Notice states that the Claim 13 status identifier should read "previously provided". The Notice also stated that only the corrected

section of the non-compliant amendment document must be resubmitted, e.g., "Amendments to the claims" section of applicants' amendment document.

In response thereto submitted simultaneously herewith is the amendment to the claims section of applicants' submission of October 30, 2003 with the status identifier of Claim 13 changed from "previously amended" to "previously presented". It is respectfully submitted that such submission places the amendment in compliance with 37 CFR 1.121.

Reconsideration of the amended claims in the instant case for allowance is respectfully requested in view of the amendment and the remarks filed with applicants' submission of October 30, 2003. It is respectfully submitted that all of the claims in the case are allowable and passage of the application and claims to issue is respectfully requested.

It is respectfully submitted that this response is timely filed and that no extension of time is needed. However, in the event that any fees are due with the filing of this paper the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 220100.

Respectfully submitted,

Dated: December 3, 2003

By: Cynthia S. Kovacevic  
Cynthia S. Kovacevic  
Reg. No. 35,578  
Attorney for Applicants

VALENCE TECHNOLOGY, INC.  
301 Conestoga Way  
Henderson, NV 89015  
(702) 558-1000

PTO/SB/21 (08-00)

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	10/037,702	
	Filing Date	January 3, 2003	
	First Named Inventor	Gao	
	Group Art Unit	1745	
	Examiner Name	S. N. Tsang-Foster	
Total Number of Pages in This Submission	7	Attorney Docket Number	VT-1967/DIV/US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>Response to Notice of Non-Compliant Amendment</b>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Cynthia S. Kovacevic
Signature	<i>Cynthia S. Kovacevic</i>
Date	December 3, 2003

CERTIFICATE OF MAILING		
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Cynthia Kovacevic  
847-251-2326

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**To:** Commissioner for Patents**Fax:** 703-872-9306

Group Art Unit 1745

Examiner S.N. Tsang-Foster

**From:** Cynthia Kovacevic**Date:** 12/3/03**Re:** USSN 10/037,702**Pages:** 6 (plus fax cover sheet)**CC:** Kip Juliano☐ For Review☐ Please Comment☐ Please Reply☐ Please Recycle

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**Documents transmitted:**

- 1) Fax cover sheet citing application serial no. 10/037,702
- 2) Transmittal form PTO/SB/21
- 3) Amendment and Response (Total 4 pages)
- 4) Certificate of Transmission

Cynthia S. Kovacevic

Cynthia S. Kovacevic

Registration No. 35, 578

Date: 12/3/03